

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2019 Attorney Contract with the Law Offices of Kevin G. Hunter PLLC)

RESOLUTION NO. 19-188

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**
2 **the power to "employ legal counsel for the protection and advancement of the**
3 **rights of the Tohono O'odham Nation" and to "consult, negotiate and conclude**
4 **agreements and contracts on behalf of the Tohono O'odham Nation with Federal,**
5 **State and local governments and other Indian tribes or their departments,**
6 **agencies, or political subdivisions, or with private persons or organizations on all**
7 **matters within the authority of the Tohono O'odham Council." (Constitution of**
8 **the Tohono O'odham Nation, Article VI, Section 2(a) and Section 1(f)); and**

9 **WHEREAS, the Tohono O'odham Legislative Council is further authorized "to manage any**
10 **funds within the exclusive control of the Tohono O'odham Nation...and to**
11 **appropriate these funds for the benefit of the nation and its members" provided**
12 **that "[a]ll expenditures of these funds shall be pursuant to appropriations or**
13 **budgets" authorized by resolution or ordinance (Constitution of the Tohono**
14 **O'odham Nation, Article VI, Section 1(d)(2)); and**

15 **WHEREAS, attorney contracts on behalf of the Nation require Legislative Council approval**
16 **(26 Tohono O'odham Code Chapter 1, Article 4); and**

17 **WHEREAS, the Office of Attorney General requires the legal services of the Law Offices of**
18 **Kevin G. Hunter PLLC to represent the Tohono O'odham Nation in gaming and**
19 **related matters; and**

20 **WHEREAS, the Office of Attorney General has prepared and submitted for review and**
21 **approval the FY 2019 Attorney Contract with the Law Offices of Kevin G. Hunter**
22 **PLLC ("Contract"), which is incorporated by this reference; and**

23 **WHEREAS, the Gaming Negotiating and Domestic Affairs Committees have reviewed and**
24 **recommend approval of the FY 2019 Attorney Contract with the Law Offices of**
25 **Kevin G. Hunter PLLC.**

26 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
27 **FY 2019 Attorney Contract with the Law Offices of Kevin G. Hunter PLLC for an**
28 **initial term commencing June 1, 2019 and ending September 30, 2019.**

29 **BE IT FURTHER RESOLVED that the Contract shall be funded by the Tohono O'odham Gaming**
30 **Enterprise pursuant to TOC Title 16, Chapter 2, Section 7(b)(6).**

31 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes the Nation's**
32 **Chairperson to execute the Contract, provided that if the Legislative Council fails**
33 **to appropriate or authorize the expenditure of sufficient funds to provide for**
34 **payment under the Contract, the contract shall terminate on the date such funds**

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are no longer available without any termination charges or other liability to the Nation.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 24TH day of MAY, 2019 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 2(a) and Section 1(d)(2) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy C. Joaquin
Timothy Joaquin, Legislative Chairman
29 day of May, 2019

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary
29 day of May, 2019

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 29 day of May, 2019 at 12:34 o'clock, P .m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy C. Joaquin
Timothy Joaquin, Legislative Chairman

APPROVED

on the 30 day of May, 2019

DISAPPROVED

at 5:20 o'clock, P .m.

Edward D. Manuel
EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

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1 Returned to the Legislative Secretary on the 3 day of

2
3 June, 2019, at 8:25 o'clock, a.m.

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7 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING FY 2019 ATTORNEY CONTRACT WITH THE LAW OFFICES OF KEVIN G. HUNTER PLLC

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILMAN ARTHUR WILSON

DATE: MAY 24, 2019

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ()	117.9	X			
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	263.6	X			
	2. ADRIANNE TILLER ()	263.6	X			X
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15	X			
	2. JANICE FELIX (Adam Andrews)	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ()	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (<i>Absent</i>) (Shirley Molina) (<i>Present</i>)	104.5	X			
	2. SANDRA D. ORTEGA ()	104.5	X			
GU VO 256.9	1. GRACE MANUEL ()	128.45	X			X
	2. DALLAS LEWIS (<i>Absent</i>) (Nacho Flores) (<i>Present</i>)	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS (Victoria Hobbs)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (<i>Absent</i>) (Patricia Antone) (<i>Present</i>)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			
	2. LEANDER MASE (Francine Schooling)	186.05	X			
TOTAL		3,084.6	3,084.6	-0-	-0-	[02]